

determine. The real secret of success in a Court drawn from a wide and diverse area is appointment by merit, not relative merely, but actual. In the United States, with a larger field and equally inharmonious systems in law and training, the Supreme Court has been singularly fortunate in its personnel.

To an American the unadorned dignity and simplicity of its highest Court is a subject of unalloyed congratulation. It fits in with the national idiosyncrasy which rejoices in conferring colloquial titles on the unworthy and denying distinctions to the highest of its servants.

But in a British Dominion one naturally expects that its most notable Court should receive the greatest of those honours which monarchical institutions provide. How is it that while the Chief Justices of Provincial Courts receive Knighthood from their Sovereign, the members of the Supreme Court of Canada, who rank higher, are treated as unworthy of that honour unless they have achieved it in political circles for pre-judicial services?

Is the explanation due to want of merit in the members of the Court? This can only be partially so when some of the names of its Judges are recalled. Or is it that the Canadian people have never taken it to their hearts and bestowed upon it their choicest gifts? And if so is it not something for the people to ponder over and question whether indifference may not be the result of lack of appreciation of the fundamental conception that a great Court is one composed of great lawyers? And may not that want of affection react on the Court itself and render it less responsive to its duties to the State and somewhat careless of its reputation?

Whatever the cause, the effect is there. And to one accustomed to appreciate the regard in which the highest Court in the United States is held both at home and abroad, it is puzzling that a people so clear headed and progressive as those of the Canadian Dominion, should not realize that its conditions require and demand as the keystone of its national arch a Court possessing its highest esteem and confidence, strengthened by its best and brightest legal intellects and honoured by its country.

AN OUTSIDER.